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10/032,245	12/21/2001	Christen K. Pedersen	100110550	6661

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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EXAMINER

REILLY, SEAN M

ART UNIT	PAPER NUMBER
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2153

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/032,245	Applicant(s) PEDERSEN, CHRISTEN K.	
	Examiner Sean Reilly	Art Unit 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office action is in response to Applicant's amendment and request for reconsideration filed on December 18, 2006. Claims 1-36 are presented for further examination. All independent claims have been amended.

Response to Arguments

With regard to claim 1, Applicant asserts that Blight failed to disclose a selector for *manually* initiating a user initiated communication interface that when enabled presents network connectivity information specific to an associated electronic device implementing said communication interface. Applicant contends that Blight cannot support such manual initiation since blight provides an automatic resource discovery procedure (Applicant response December 18, 2006, pg 12 last ¶ continued on through pg 13 2nd ¶). Examiner respectfully disagrees with this logic. At the very least the user of a mobile device in Blight's system manually initiates all network communication interfaces in the device by turning the device ON (see inter alia, Col 14, line 33). Furthermore, as opposed to equating Applicant's claimed communication interface with a traditional network interface, the claimed communication interface may also be equated with Blight's web browser and associated page of available resources that the user manually controls (see inter alia, Col 14, line 56 – Col 15, line 9). Clearly under this interpretation the user manually initiates the communication interface, since the user manually loads the web browser and selects the resource proxy address Http://localhost/, Col 14, lines 36-59. Thus, even though Blight provides an automatic resource discovery procedure, Blight also allows the

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claimed communication interface to be manually initiated by a user by either turning the device ON or loading the web browser and associated page of available resources.

With regard to the remaining independent claims, the new limitations added to these claims appear to have overcome the prior art of record. Thus, all of Applicant's other arguments are moot. However, these claims are not indicated as allowable since the new limitations raise 112 1st ¶ issues, as discussed below.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

1. Claims 11-36 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

In particular Applicant's specification failed to describe providing network connectivity information to a user in response to 1) the initiation of a first communication interface at a first electronic device and 2) the initiation of the first communication interface by a second electronic device, as recited by claims 11-36 using various phraseologies. Applicant is essentially claiming initiating a single communication interface in a first device from the first device itself and from some other device. Applicant simply failed to describe such an initiation scheme.

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Applicant has merely disclosed initiating communication interfaces found at each of the devices themselves and not remotely initiating the communication interfaces of other devices. In Applicant's disclosed system when a user wishes to establish communications between two devices the user must initiate the communication interfaces found at each device locally (see inter alia, the various embodiments disclosed on pages 14-17 of Applicant's specification). Then through various methods (referenced below) the initiations of these two interfaces trigger the system to gather the appropriate connection information required for establishing a communications path between the two devices. These methods include among others: having a server track which communication interfaces have been initiated, pg 14, line 26 – pg 15, line 7; detecting the initiation of each interface within a certain period of time, pg 15, lines 18-35; and detecting the initiation of each interface within a certain location proximity, pg 16, lines 5-18. Applicant has simply failed to describe the remote initiation of a communication interface anywhere in the specification. Thus, the claimed invention clearly was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 19-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With regard to claim 19, the phrase *said user* in the first line of clause b) is indefinite since two users are recited in the claim. It is presumed that the phrase *said user* in the first line of clause b) refers to the user associated with the first electronic device.

Additionally with regard to claim 19, the phrase *each of said second electronic device* in the last two lines of the claim should be replaced with *said second electronic device*.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 and 5-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Blight et al. (U.S. Patent 6,785,542; hereinafter Blight).

4. Regarding claim 1, Blight discloses a communication system comprising:

- a communication network (Figure 6); and
- a plurality of electronic devices coupled to said communication network (Figure 6, e.g. 100d, 235a, 235b), each of said plurality of electronic devices including a selector for manually initiating (e.g. powering on the device Col 14, lines 32-33 or requesting the HTML page of available resources, Col 14, lines 56-57) a user initiated communication interface (resource proxy) that when enabled presents (e.g. user requests of available resources which are present in an HTML page, Col 14, lines 56-

65) network connectivity information (Col 10, lines 39-60) specific to an associated electronic device implementing said communication interface (location based resources available to that mobile device, Col 10, lines 22-33), where said network connectivity information is necessary for establishing communication paths (e.g. a URL, see inter alia, Col 9, lines 58-62, Col 10, lines 65-68 or Col 14, 61-63) between said associated electronic device and other electronic devices coupled to said communication network (Col 3, lines 10-21), wherein said network connectivity information provides information pertaining and unique to said associated electronic device (i.e. the resources are location based resources available to that mobile device, Col 10, lines 22-33) and is universally used to establish communication between said associated electronic device and each of said other electronic devices (e.g. the system uses the resource URLs of each resource that are technology independent (Col 9, lines 58-62) to establish communication between the electronic device and each resource, see inter alia, Col 9, lines 58-62, Col 10, lines 65-68 or Col 14, 61-63 and Col 15, lines 7-9).

5. Regarding claim 11, Blight discloses a method of connection comprising:

- providing a communication interface (resource proxy) on a first electronic device coupled to a communication network that when initiated by a user at said first electronic device (e.g. Figure 6 device 100d) and when initiation of said communication interface at a second electronic device coupled to said communication network is detected (e.g. a new resource Figure 6, 235a, 235b is added to the network and then detected such that the first device can now connect to the new resource

through its resource proxy Col 10, lines 62-65), provides to said user (e.g. HTML page of available resources, Col 14, lines 56-65) pertinent network connectivity information (e.g. a URL, see inter alia, Col 9, lines 58-62, Col 10, lines 65-68 or Col 14, 61-63) specific to said electronic device (location based resources available to that mobile device, Col 10, lines 22-33) necessary for establishing communication paths with other devices coupled to said communication network (Col 3, lines 10-21) wherein said network connectivity information provides information specific to said associated electronic device (i.e. the resources are location based resources available to that mobile device, Col 10, lines 22-33) and is generically used to establish communication between said associated electronic device and each of said other electronic devices (e.g. the system uses the resource URLs of each resource that are technology independent (Col 9, lines 58-62) to establish communication between the electronic device and each resource, see inter alia, Col 9, lines 58-62, Col 10, lines 65-68 or Col 14, 61-63 and Col 15, lines 7-9).

- Prompting through said communication interface for said user to provide through said communication interface said network connectivity information to establish a communication path through said communication network to a second electronic device (i.e. the user selects a resource URL from the HTML page of available resource URLs and wherein the URL is used to establish a communication path; see inter alia, Col 14, line 56 - Col 16, line 9); and
- Prompting through said communication interface for said user to provide through said communication interface network connectivity information specific to said second

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electronic device to establish said communication path (i.e. the user selects a resource URL from the HTML page of available resource URLs and wherein the URL is used to establish a communication path; see inter alia, Col 14, line 56 - Col 16, line 9), wherein said network connectivity information specific to said second electronic device is generically used to establish communication between said second electronic device and any device coupled to said communication network (e.g. the system uses the resource URLs of each resource that are technology independent (Col 9, lines 58-62) to establish communication between the electronic device and each resource, see inter alia, Col 9, lines 58-62, Col 10, lines 65-68 or Col 14, 61-63 and Col 15, lines 7-9).

6. Regarding claim 19, Blight discloses a method of connection comprising:

- a) at a first electronic device, acknowledging the initiation of a communication interface by a user, said first electronic device coupled to a communication network (Col 16, lines 53-57) and acknowledging initiation of said communication interface by a user at a second electronic device;
- b) providing to said user (e.g. HTML page of available resources, Col 14, lines 56-65) network connectivity information for said first electronic device, said network connectivity information necessary for establishing communication paths to other electronic devices coupled to said communication network (Col 14, lines 61-65; Col 15, lines 7-9) wherein said network connectivity information provides information specific to said associated electronic device (i.e. the resources are location based resources available to that mobile device, Col 10, lines 22-33) and is generically used

to establish communication between said associated electronic device and each of said other electronic devices (e.g. the system uses the resource URLs of each resource that are technology independent (Col 9, lines 58-62) to establish communication between the electronic device and each resource, see inter alia, Col 9, lines 58-62, Col 10, lines 65-68 or Col 14, 61-63 and Col 15, lines 7-9).

7. Regarding claim 29, Blight discloses a computer system comprising:

- a processor (inherent); and
- a computer readable memory coupled to said processor and containing program instructions that, when executed, implement a method of connection comprising (inherent):
- providing a communication interface on an electronic device coupled to a communication network that when initiated by a user provides to said user (e.g. HTML page of available resources, Col 14, lines 56-65) pertinent network connectivity information specific to said electronic device (location based resources available to that mobile device, Col 10, lines 22-33) necessary for establishing communication paths with other devices coupled to said communication network (Col 3, lines 10-21) wherein said network connectivity information provides information specific to said associated electronic device (i.e. the resources are location based resources available to that mobile device, Col 10, lines 22-33) and is generically used to establish communication between said associated electronic device and each of said other electronic devices (e.g. the system uses the resource URLs of each resource that are technology independent (Col 9, lines 58-62) to establish communication

between the electronic device and each resource, see inter alia, Col 9, lines 58-62, Col 10, lines 65-68 or Col 14, 61-63 and Col 15, lines 7-9).

8. Regarding claim 5, Blight discloses one of said plurality of electronic devices is a mobile device (Col 3, line 11).
9. Regarding claim 6, Blight discloses one of said plurality of electronic devices is a personal digital assistant (PDA) (Col 2, line 49).
10. Regarding claims 7 and 22-23, Blight discloses the communication system wherein said selector is a button (Button – Col 6, lines 17-20; for selection - Col 14, lines 61-65 and Col 15, lines 7-9).
11. Regarding claims 8 and 24, Blight discloses said selector is a software enabled selector located on a display of associated electronic devices (Col 14, lines 61-65; Col 15, lines 7-9).
12. Regarding claim 9, Blight discloses each of said plurality of electronic devices comprise a graphical user interface (Col 6, line 6) for assisting users to establish said communication paths over said communication network (Col 14, lines 61-65; Col 15, lines 7-9).
13. Regarding claim 10, Blight discloses said communication network is a wide area network (Col 9, lines 4-11).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blight et al. (U.S. Patent 6,785,542; hereinafter Blight) as applied above, and further in view of Gaucher (U.S. Patent Number 6,175,860).

15. Regarding claim 2, Blight discloses a communication interface for monitoring initiations of said communication interfaces by said plurality of electronic devices (Col 3, lines 10-21), and for establishing a communication path automatically between a first and second electronic device of said plurality of electronic devices when their associated first and second communication interfaces, respectively, have been initiated under a condition (Col 14, lines 61-65; Selecting to make such a connection Col 15, lines 7-9 and accepting the connection on the other end). While Blight discloses the communication interface (resource proxy) of a given device centrally monitors initiations of said communication interfaces by said plurality of electronic devices, the monitoring communication interface functionality is not central (ie. one central server does not exist for monitoring all the devices; instead each electronic device monitors the entire network on its own). Nevertheless, centrally monitoring initiations of communication interfaces within a given network was well known in the art at the time of invention, as evidenced by Gaucher. In a related art, Gaucher discloses a central server (master computer) (Col 2, lines 49-56), which monitors initiations of communication interfaces (appliance boxes) (Col 3, lines 24-27). It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Blight to use a central server for monitoring initiations of communication interfaces, as disclosed by Gaucher, since such a scheme is simple in setup, operation and cost (Gaucher Col 2, lines 18-19).

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16. Regarding claim 14, Blight discloses said condition is initiating said first and second communication interfaces within a period of time. It is inherent that such a connection establishment must occur in a given time period.

17. Regarding claim 15, Blight discloses said condition is initiating said first and second communication interfaces within a geographical location (Col 8, line 64 – Col 9, line 1).

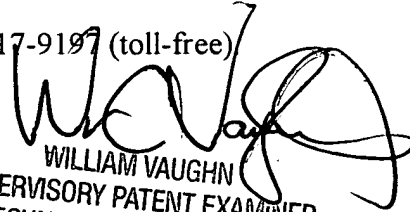
Conclusion

18. The prior art made of record, in PTO-892 form, and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Reilly whose telephone number is 571-272-4228. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)



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